

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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TERRENCE FORTE,

Plaintiff,

- against -

JAMES FAMIANO and EMRAH ATES,
employees of the New York City Police
Department,
Defendants.

**STIPULATION AND ORDER
OF SETTLEMENT DISMISSAL**
15 CV 3302 (FB)(JO)

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WHEREAS, the parties have reached a settlement agreement and now desire to resolve the remaining issues raised in this litigation, without further proceedings and without admitting any fault or liability;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows:

1. The above-referenced action is hereby dismissed with prejudice and without costs, expenses, or fees in excess of the amount specified in paragraph "2" below.
2. Defendants hereby agree to pay plaintiff Terrence Forte the total sum of Seven Thousand Five Hundred Dollars (\$7,500.00) in full satisfaction of all claims, including claims for costs, expenses and attorneys' fees. Defendants shall deliver one thousand dollars (\$1,000.00) to plaintiff's counsel no later than by February 29, 2016. Defendants shall deliver the remaining six thousand five hundred dollars (\$6,500.00) to plaintiff's counsel no later than by August 1, 2016.
3. In consideration for the payment of the total sum, plaintiff agrees to dismissal of all the claims against the defendants and to release the defendants from any and all liability, claims, or rights of action alleging a violation of plaintiff's civil rights and any related state law claims, from the beginning of the world to the date of the General Release, including claims for costs, expenses, and attorneys' fees.
4. Plaintiff shall execute and deliver to defendants' attorney a General Release based on the terms of paragraphs 2 and 3 above.
5. Nothing contained herein shall be deemed to be an admission by the defendants that they have in any manner or way violated plaintiff's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any agency thereof

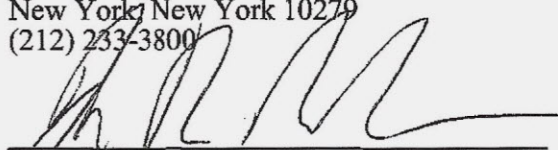
6. This Stipulation and Order contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time, nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Law Office of Matthew Flamm
Attorney for Plaintiff Terrence Forte
26 Court Street, Suite 2208
Brooklyn, New York 11242
(718) 797-3117


Matthew Flamm

Dated: February 25, 2016

Karasyk & Moschella
Attorney for Defendants James Famiano
and Emrah Ates
233 Broadway, Suite 2340
New York, New York 10279
(212) 233-3800


By: James Moschella

Dated: February 25, 2016

SO ORDERED:

U.S.D.J.